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**Department of Planning and Development**  
 D. M. Sugimura, Director

**CITY OF SEATTLE**  
**ANALYSIS AND DECISION OF THE DIRECTOR OF**  
**THE DEPARTMENT OF PLANNING AND DEVELOPMENT**

**Application Number:** 2400322

**Application Name:** Rick Anderson for Roy Bishop

**Address of Proposal:** 7803 12<sup>th</sup> Ave NE

## **SUMMARY OF PROPOSED ACTION**

Master use permit to establish use and construct two four-unit townhouse structures. The proposal includes the demolition of two existing single family residences. Parking for the proposed townhouse structures will be provided at ground level, under each unit.

The following approval is required:

**SEPA - Environmental Determination - Chapter 25.05, Seattle Municipal Code**

**SEPA DETERMINATION:**

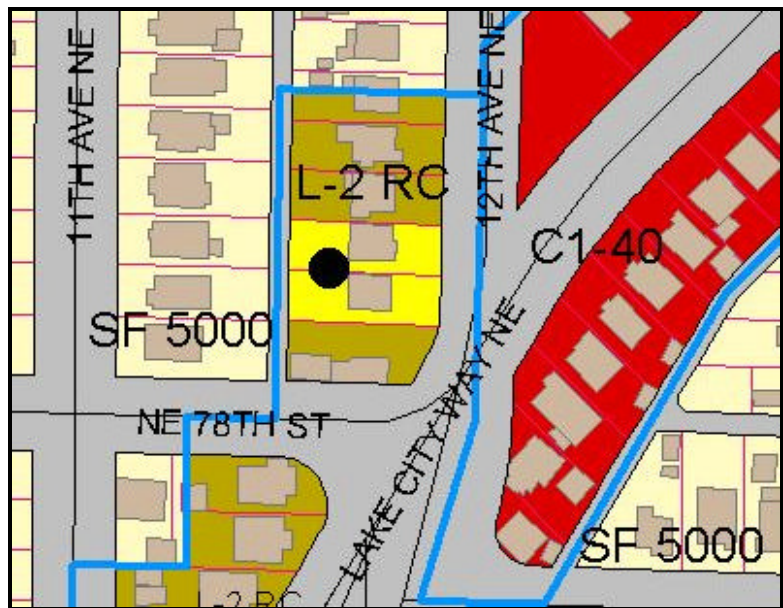
☐ Exempt   ☐ DNS   ☐ MDNS   ☐ EIS

☒ DNS with conditions

☐ DNS involving non-exempt grading or demolition, or another agency with jurisdiction.

## **BACKGROUND DATA**

The subject site proposal is located in the northeast area of Seattle on 12<sup>th</sup> Avenue NE just north of NE 78<sup>th</sup> St. The site is zoned Lowrise Two Residential Commercial (L2-RC) and is also located in an area predominately Single Family zoned with some Multi-family Commercial zones also in close proximity accessed off of Lake City Way NE. The site lies near the beginning of Lake City Way just north of Interstate 5. The density for Lowrise Two zones is one dwelling unit per 1200 sq. ft. of lot area. The project site has an approximate lot area of 9,640 sq. ft. which allows for a total of eight units.



## **Proposal Description**

The proposal consists of the construction of two four-unit townhouse structures. Parking for all the units will be provided at ground level under each unit. Vehicle access to parking and the site is proposed off the abutting fully improved sixteen (16) foot alley along the rear property line. All units will have pedestrian access to 12<sup>th</sup> Ave NE. Units A, B, C, and D will have direct pedestrian access to 12<sup>th</sup> Ave NE while units E, F, G and H will have pedestrian access to 12<sup>th</sup> Ave NE by way of one of the two provided pedestrian access easements.

## **Public Comments**

No comments were received during the comment period which ended on April 7, 2004.

## **ANALYSIS - SEPA**

The initial disclosure of the potential impacts from this project was made in the environmental checklist submitted by the applicant dated February 20<sup>th</sup>, 2004 and annotated by the Department. The information in the checklist, supplemental information provided by the applicant, project plans, and the experience of the lead agency with review of similar projects form the basis for this analysis and decision.

The SEPA Overview Policy (SMC 25.05.665D) clarifies the relationship between codes, policies, and environmental review. Specific policies for each element of the environment, certain neighborhood plans, and other policies explicitly referenced may serve as the basis for exercising substantive SEPA authority.

The Overview Policy states in part: "where City regulations have been adopted to address an environmental impact, it shall be presumed that such regulations are adequate to achieve sufficient mitigation" (subject to some limitations). Under certain limitations/circumstances (SMC 25.05.665 D 1-7) mitigation can be considered. Thus, a more detailed discussion of some of the impacts is appropriate.

### Short - Term Impacts

Construction activities for the two four-unit townhouse structures could result in the following adverse impacts: construction dust, emissions from construction machinery and vehicles, increased particulate levels, increased noise levels, occasional disruption of adjacent vehicular and pedestrian traffic, and a small increase in traffic and parking impacts due to construction workers' vehicles. Several construction related impacts are mitigated by existing City codes and ordinances applicable to the project, such as the Noise Ordinance; the Street Use Ordinance; and the Building Code. Following is an analysis of the air, water quality, streets, parking, and construction-related noise impacts as well as mitigation.

The character of the area is residential in nature and as a result the construction-related noise will have an impact on the surrounding residents. The times allowed for construction per the Noise Ordinance (SMC 25.08) are found to be inadequate to mitigate the noise impacts on the residents in the neighborhood. Thus proper conditioning is warranted.

The Street Use Ordinance includes regulations that mitigate dust, mud, and circulation. Temporary closure of sidewalks and/or traffic lane(s) is adequately controlled with a street use permit through the Seattle's Department of Transportation, and no further SEPA conditioning is needed.

Construction is expected to temporarily add particulates to the air and will result in a slight increase in auto-generated air contaminants from construction worker vehicles; however, this increase is not anticipated to be significant. Federal auto emission controls are the primary means of mitigating air quality impacts from motor vehicles as stated in the Air Quality Policy (Section 25.05.675 SMC). No unusual circumstances exist which warrant additional mitigation per the SEPA Overview Policy.

### Long - Term Impacts

The following long-term or use-related impacts, which are often a consideration, do not apply in this instance: increased demand on public services and utilities; increased light and glare; and increased energy consumption. These long-term impacts are not considered adverse, as other City Departments review the feasibility of these issues. Additional land use impacts which may result in the long-term are discussed below.

### Height, Bulk and Scale

Although there is an increase in height and overall lot coverage for the development site, the proposed eight units will meet the Land Use Code requirements (development standards) laid forth in SMC 23.45 (Lowrise). The adjacent zoning designations (SF 5000, NC2-40 and C1-40) allow similar to greater height allowance when compared the proposal. Future development as permitted by the adjacent zones will be of similar height and scale as the proposal. Lastly, there are no unusual topographic features related to the development site. As a result, no mitigation is required pursuant to SEPA authority.

### Parking

Eight parking spaces are proposed for the eight units to be constructed and a small amount of spill over parking, approximately four cars, is expected on the surrounding street system. There are improved alleys throughout the neighborhood and as a result there are only a small number of curbcuts which in turn leaves ample street parking for the neighborhood. As a result of the above neighborhood parking and access conditions, no parking impacts are expected. Thus, no SEPA conditioning is needed.

### Traffic and Transportation

The availability and proximity of transit is adequate with Roosevelt Way NE, a designated arterial street, being less than two blocks west of the site. The amount of traffic expected to be generated by this proposal is within the capacity of the streets in the immediate area and therefore, no SEPA mitigation is warranted for traffic impacts.

### Summary

In conclusion, adverse effects on the environment resulting from the proposal are anticipated to be non-significant. No conditions or mitigating measures pursuant to SEPA policies is necessary.

## **DECISION - SEPA**

This decision was made after review by the responsible official on behalf of the lead agency of a completed environmental checklist and other information on file with the responsible department. This constitutes the Threshold Determination and form. The intent of this declaration is to satisfy the requirement of the State Environmental Policy Act (RCW 43.21.C), including the requirement to inform the public of agency decisions pursuant to SEPA.

- [X] Determination of Non-Significance. This proposal has been determined to not have a significant adverse impact upon the environment. An EIS is not required under RCW 43.21C.030(2)(C).
- [ ] Determination of Significance. This proposal has or may have a significant adverse impact upon the environment. An EIS is required under RCW 43.21C.030(2)(C).

## **CONDITIONS - SEPA**

Prior to Issuance of any Demolition Permit

1. The owner(s) and/or responsible party(s) shall provide documentation to the DPD Planner (Lucas DeHerrera (206.615.0724) or Land Use Supervisor Cheryl Waldman (206.233.3861) that Puget Sound Clear Air Agency (PSCAA) has received all information necessary to assess and mitigate likely air impacts at least 10 days in advance of the demolition of any structures on site greater than 120 sq. ft.

During Construction

The following conditions to be enforced during construction shall be posted at each street abutting the site in a location on the property line that is visible and accessible to the public and to construction personnel from the street right-of-way. The conditions shall be affixed to placards prepared by DPD. The placards will be issued along with the building permit set of plans. The placards shall be laminated with clear plastic or other waterproofing material and shall remain posted on-site for the duration of the construction.

2. In addition to the Noise Ordinance requirements, to reduce the noise impact of demolition on nearby properties, all demolition activities shall be limited to non-holiday weekdays between 7:30 A.M and 8:00 P.M. In addition to the Noise Ordinance requirements, to reduce the noise impact of construction on nearby residences, only the low noise impact work (i.e. landscaping and reseeding w/o power equipment) shall be permitted on Saturdays from 9:00 A.M. to 5:00 P.M.

Signature: (signature on file) Date: May 6, 2004  
Lucas DeHerrera, Land Use Planner  
Department of Planning and Development  
Land Use Services

LJD:rgc

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